IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

MAYFORD TIPTON, JR.,)
)
Plaintiff,)
) No. 3:04-0548
v.) Judge Nixon
) Magistrate Judge Griffi
MICHAEL J. ASTRUE,)
Commissioner of Social Security,)
)
Defendant.)

<u>ORDER</u>

Pending before the Court is the Magistrate Judge's Report and Recommendation ("Report") in the above-styled matter (Doc. No. 28), to which no timely objections have been filed. Upon review, the Court finds the Report therein to be well-founded and supported by the record. The Court therefore **ADOPTS** the Report in its entirety. Accordingly, Plaintiff's Motion for Judgment on the Administrative Record (Doc. No. 13) is **GRANTED** and the case is **REMANDED** for consideration by the Administrative Law Judge.

It is so ORDERED.

Entered this the ______ day of December, 2008

JOHN T. NIXON, SENIOR JUDGE UNITED STATES DISTRICT COURT